



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: April 11, 2014.**

**TONY M. DAVIS  
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**IN RE:**

**FIRED UP, INC.**

**DEBTOR<sup>1</sup>**

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**CASE NO. 14-10447  
(Chapter 11)**

**INTERIM ORDER ON DEBTOR'S EMERGENCY [FIRST] MOTION TO  
REJECT UNEXPIRED LEASES ON NON-RESIDENTIAL REAL PROPERTY  
PURSUANT TO 11 U.S.C. § 365 NUNC PRO TUNC TO THE PETITION DATE**

The Court has considered the Debtor's Emergency [First] Motion to Reject Unexpired Leases of Non-Residential Real Property Pursuant to 11 U.S.C. § 365 *Nunc Pro Tunc* to the Petition Date (the "Motion"). The Court finds that it should enter interim relief at this time. Accordingly, it is therefore:

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<sup>1</sup> Until February 26, 2014, Debtor's business was being operated partially by the Debtor and partially by its two wholly owned subsidiaries, Kona Restaurant Group, Inc. and Carino's Italian Kitchen, Inc.. Those entities were merged into the Debtor on that date.

**ORDERED** that the Motion is GRANTED on an interim basis as describe herein; and it is further

**ORDERED** that pursuant to 11 U.S.C. § 365, the rejection of the Real Property Leases identified on Exhibit A hereto is hereby approved on an interim basis, effective as of the Petition Date; and it is further

**ORDERED** that any party which objects to the relief requested in the Motion, or the provisions of this order, shall file an objection with the Court not later than **7:00 p.m. CDT on April 24, 2014**. This Order shall become final *nunc pro tunc* to the petition date as to any parties listed on Exhibit A who do not file a timely objection. The Court shall conduct a final hearing on the Motion to consider any timely filed objections on **May 1, 2014 at 1:30 p.m.** at the United States Bankruptcy Court, 903 San Jacinto, Courtroom No. 1, Austin, TX 78701. It is further

**ORDERED** that any claim by the non-Debtor parties arising from the rejection of any Real Property Leases other than those that have been formally terminated pre-petition shall be deemed to constitute a prepetition claim against the Debtor pursuant to 11 U.S.C. § 365; and it is further

**ORDERED** that any claims for rejection of the unexpired leases set forth herein shall be filed by the general bar date in this case; and it is further

**ORDERED** that the Debtor shall serve a copy of this Order on all counterparties of the Real Property Leases within three business days of its entry; and it is further

**ORDERED** that the Court hereby retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

All relief not expressly granted in this order is denied.

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